

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Clerk, U.S. District Court
Southern District of Texas
FILED

FEB 12 2016

United States of America

v.

Donna TOLAND
Thomas TOLAND

Case No.

C-16-185M

David J. Bradley, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/11/2016 in the county of Nueces in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841

Possession with intent to distribute methamphetamine

This criminal complaint is based on these facts:

See attached affidavit of HSI Special Agent Larry C. White

☒ Continued on the attached sheet.

Complainant's signature

Special Agent Larry C. White

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/12/2016City and state: Corpus Christi, Texas

Judge's signature

B. Janice Ellington Magistrate Judge

Printed name and title

AFFIDAVIT

On February 11, 2016 at approximately 1045hrs, SA Larry White was made aware that TXDPS agents were at the residence of Donna and Thomas TOLAND and that methamphetamine had been located. SA Larry White then immediately travelled to 5820 County Road 73 Robstown, Texas to conduct a follow up investigation.

SA Larry White arrived and met with TXDPS LT. Mark Martinez and TXDPS SA Andrew Priddy. SA White was advised that SA Priddy was conducting a long term theft and stolen property investigation in the area and as a result of that investigation he was made aware that Donna and Thomas TOLAND may have been receiving stolen property in exchange for methamphetamine. SA Priddy was also advised that Thomas TOLAND may have received a stolen law enforcement pistol during the course of his business. SA Priddy decided to conduct a knock and talk investigation.

SA Priddy stated that he arrived at the location and was met with an uninvolved male in the front yard. SA Priddy was advised by that male that Donna and Thomas TOLAND were inside of the residence. SA Priddy asked the male if he would go and ask Thomas TOLAND to come outside so that they could talk. The male agreed and went to get Thomas TOLAND. After several minutes, Thomas TOLAND came outside to speak with agents. SA Priddy advised Thomas TOLAND of the investigation that they were conducting and asked for his consent to search the residence for the missing law enforcement firearm (pistol). Thomas TOLAND signed a TXDPS consent to search form for the pistol. TXDPS agents then went inside of the residence and conducted a search for the pistol and other firearm accessories that are commonly attached to firearms such as magazines for ammunition. During that search, TXDPS agents located a small black bag under the bed that could have fit the pistol or magazines. TXDPS agents open the bag to reveal the contents and located approximately 15.6 grams of methamphetamine. Based on the fact that TXDPS agents had located methamphetamine, TXDPS agents re-approached Donna and Thomas TOLAND and advised them that they had located some methamphetamine. Donna and Thomas TOLAND both made spontaneous statements at that time to the agents that the methamphetamine belonged to them. They also admitted to being methamphetamine users.

Once the methamphetamine was located, TXDPS agents asked for consent to search the entire residence for narcotics. Both Donna and Thomas TOLAND agreed to the search of the residence and signed written consent for the search for narcotics. During the subsequent search for narcotics, agents located an additional 54 grams of methamphetamine. The bag that contained the methamphetamine was wet and was located in the bathroom in a cabinet directly next to the toilet. A total amount of 69 grams of methamphetamine, to include packaging material was located as a result of this investigation. A field test was conducted on the methamphetamine that was located. The substance tested positive for the characteristics of methamphetamine. Both Donna and Thomas TOLAND made admissions to knowing that there was methamphetamine in the residence.

SA White made contact with AUSA Jeff Miller who accepted prosecution against Donna and Thomas TOLAND. Donna and Thomas TOLAND were ultimately transported to the Coastal Bend Detention Center in Robstown, Texas by Agents Chapman and Hein.

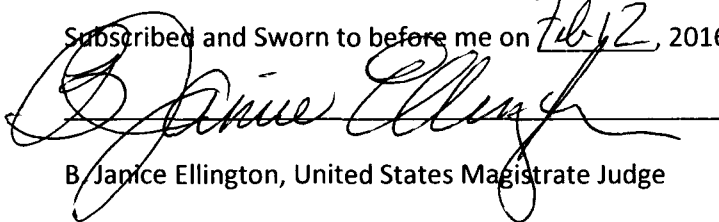
Based on the totality of these circumstances, SA White respectfully submits that there is probable cause in this case to charge Donna and Thomas TOLAND with violations of 21 U.S.C .841

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry C. White", written over a horizontal line.

Special Agent Larry C. White

Subscribed and Sworn to before me on Feb 12, 2016

A handwritten signature in black ink, appearing to read "Janice Ellington", written over a horizontal line.

B. Janice Ellington, United States Magistrate Judge